

BOARD OF COUNTY COMMISSIONERS
COUNTY OF CENTRE
COMMONWEALTH OF PENNSYLVANIA

RESOLUTION 12 OF 2019

A RESOLUTION EXTENDING THE TERM OF EXEMPTIONS, DEDUCTIONS, ABATEMENTS AND CREDITS FOR REAL PROPERTY, EARNED INCOME TAX, NET PROFITS MERCANTILE, AND BUSINESS PRIVILEGE TAXES WITHIN A SPECIFIC GEOGRAPHIC AREA IN BENNER TOWNSHIP, CENTRE COUNTY DESIGNATED AS A KEYSTONE OPPORTUNITY EXPANSION ZONE (“KOEZ”) OR KEYSTONE OPPORTUNITY IMPROVEMENT ZONE (“KOIZ”) IN ORDER TO FOSTER ECONOMIC OPPORTUNITIES, STIMULATE INDUSTRIAL, COMMERCIAL, AND RESIDENTIAL IMPROVEMENTS AND PREVENT PHYSICAL AND INFRASTRUCTURE DETERIORATION WITHIN AREAS OF THE COUNTY OF CENTRE, COMMONWEALTH OF PENNSYLVANIA, UPON CERTAIN TERMS AND CONDITIONS.

WHEREAS, the County of Centre, with offices in Bellefonte, Pennsylvania recognizes the need to encourage investment in a defined geographical area of the County identified as Lot 9R, PennTech Drive, Benner Commerce Park, Benner Township (Centre County Tax Parcel Identifier Number 12-5-500H), bounded and described as set forth in Attachment “A” (the “Extended Parcel”), that is experiencing distress characterized by one or more of the following: high unemployment, low investment of new capital, blighted conditions, underutilized, obsolete or abandoned industrial commercial and residential structures, deteriorated tax base; and

WHEREAS, the Extended Parcel consists of an unoccupied portion (s) of a KOEZ or KOIZ within Benner Township which KOEZ or KOIZ expires on December 31, 2022; and

WHEREAS, the Keystone Opportunity Zone, Keystone Opportunity Expansion Zone and Keystone Opportunity Improvement Zone Act (Act of October 6, 1998, P.L. 705, No. 92), as amended, hereinafter referred to as the “Act,” authorizes political subdivisions to apply to the Pennsylvania Department of Community and Economic Development (DCED) for an extension of the term of the applicable benefits within the respective unoccupied portion(s) of the KOEZ or KOIZ, granting exemptions, deductions, abatements or credits from all local taxes identified in the Act; and

WHEREAS, approval of extending the term of the benefits for the Extended Parcel as provided in the Act will result in improving the economic, physical, and social conditions within the subject KOEZ or KOIZ by stimulating existing businesses employment, creating new employment and diminishing blight; and

WHEREAS, it is expected that increased private and public-sector investors will reverse the disinvestment and conditions of blight of the Extended Parcel by the termination date of the extended term.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Centre County, Pennsylvania, that effective as of September 24, 2019, contingent only upon DCED's approval of the application for the proposed extension of the term of the Extended Parcel of the existing KOEZ or KOIZ:

The term of the Extended Parcel is extended for a period of seven (7) years from the date of occupancy of the Extended Parcel or expiration of the KOEZ/KOIZ, whichever occurs first as determined by the Department.

The following provisions shall apply to the extended term once the Extended Parcel is occupied:


1. Real Property Tax on the Extended Parcel is 100% exempt, such exemption to terminate December 31, 2026.
2. The following shall be exempt, in accordance with the provisions and limitations set forth within the Act, relative to the Extended Parcel:
 - a. Business gross receipts tax for operations conducted by a Qualified Business within the Extended Parcel.
 - b. Business privilege tax.
 - c. Tax on the earned income received by a resident of the Extended Parcel.
 - d. Tax on the net profits of a Qualified Business attributable to business activity conducted within the expansion zone
 - e. Mercantile license tax attributable to business activity by a Qualified Business conducted within the Extended Parcel.
 - f. Tax on occupancy or use within the Extended Parcel
 - g. Sales and use tax (for purchases used and consumed by a Qualified Business within the Extended Parcel)

Benefits to begin on January 1, 2020 and to end on December 31, 2026.

3. The provisions of the Act not herein enumerated, shall, nevertheless, be incorporated as part of this Ordinance by reference.
4. This resolution shall be effective upon execution, conditioned upon the approval of DCED of the application.

RESOLVED or ORDAINED AND ENACTED by the Board of Commissioners of Centre County Pennsylvania, this 24th day of September 2019.

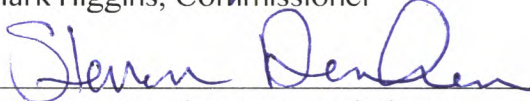
CENTRE COUNTY BOARD OF COMMISSIONERS



Michael Pipe, Chair



Mark Higgins, Commissioner



Steven G. Dershem, Commissioner

ATTEST:



Margaret N. Gray, Administrator

ATTACHMENT "A"
Description of the Extended Parcel

ALL that certain tract of land situated in Benner Township, Centre County, PA, being Lot 9R, as shown on a plan entitled, "Benner Commerce Park, Final Lot Addition Plan – Replot of Lot 9 and Lot 10 (of Plat Book 84, Page 2) into Lot 9R and Lot 10R," dated May 16, 2013, by PennTerra Engineering, Inc., State College, PA, and recorded at the Centre County Recorder of Deeds Office in Plat Book 87, Pg. 126, being bounded and described as follows:

BEGINNING at an iron pin being the westerly corner of Lot 7 and lying in an easterly R/W line of Penntech Drive (60' R/W); thence along said R/W the following four bearings and distances: along a curve to the left having a chord bearing of North 12° 12' 45" East, a chord distance of 47.22 feet, a radius of 530.00 feet, and an arc length of 47.23 feet to a point; thence North 09° 39' 34" East, 307.10 feet to a point; thence along a curve to the right having a chord bearing of North 19° 50' 38" East, a chord distance of 166.21 feet, a radius of 470.00 feet, and an arc length of 167.09 feet to an iron pin; thence North 30° 01' 41" East, 150.49 feet to an iron pin, lying in an easterly R/W line of said R/W and being a westerly corner of Lot 10R; thence along said lot, South 85° 33' 36" East, 658.51 feet to a iron pin being a southerly corner of said lot and lying in a westerly line of Lot 11; thence along Lot 11, South 10° 32' 33" East, 161.05 feet to an iron pin, being a southerly corner of said Lot 11 and being a northerly corner of said Lot 7; thence along said Lot 7, South 64° 08' 17" West, 977.10 feet to an iron pin, being the place of beginning.

BEING KNOWN AS Centre County Uniform Parcel Identifier Tax Parcel Number 12-5/500H. Lot 9R is subject to a 10 foot utility easement along its street frontage, a portion of a 30 foot sanitary sewer and stormwater easement along its easterly boundary and a portion of a 30 foot sanitary easement at its southwesterly corner.

BEING the same premises which became vested in CME Investments, LLC by deed of DMP Northern Tier, L.P., dated March 4, 2019, and recorded April 1, 2019, in Centre County Record Book 2230, Page 294.